



Patent Docket P1981R1P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Davis, David et al. Serial No.: 10/656,598 Filed: September 5, 2003 For: COMPOSITIONS AND METHODS FOR THE DIAGNOSIS AND TREATMENT OF TUMOR	Group Art Unit: 1642 Examiner: GODDARD, LAURA B Confirmation No: 7980 Customer No: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 29, 2006 Aida Guian
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AMENDMENT TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total	5	-	102	0	50	\$0.00
Independent	3	-	15	0	200	\$0.00
_ Multiple dependent claim(s), if any					360	\$0.00
Total Fee Calculation						\$0.00

 X

 x

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. **A duplicate copy of this transmittal is enclosed.**
Petition for Extension of Time is enclosed.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

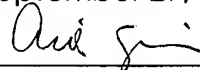
Respectfully submitted,
GENENTECH, INC.

Date: September 29, 2006
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RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 C.F.R. §1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated May 30, 2006, please consider the election and remarks.

Election:

Applicants received a Communication from the U.S. Patent and Trademark Office dated May 30, 2006 which contained a requirement for restriction in connection with the application captioned above. More specifically, the Examiner has required a restriction under 35 U.S.C. § 121 of one of the following inventions:

Group I: Claims 1-9, drawn to an isolated **polynucleotide**, classified in class 536, subclass 23.5.

Additionally, Applicants much elect a single nucleic acid sequence SEQ ID